

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana Fourth Judicial District Court, County of Missoula

STATE OF MONTANA,)	
)	
Plaintiff,)	
)	CAUSE NO. DC-08-500
-vs-)	
)	DECISION
VEITA ROSE AMERIO,)	
)	
Defendant.)	

On August 23, 2018, the District Court revoked Defendant's suspended sentence for violation of the conditions, and sentenced Defendant to the Department of Corrections for five (5) years, with two (2) years suspended, for the offense of Count I: Criminal Possession of Dangerous Drugs. Defendant was granted credit for time served in the amount of two hundred eighty-four (284) days. The Court recommended Defendant be screened for any available treatment programs and placed in a community setting as soon as possible.

On April 5, 2019, Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant appeared by video conferencing from the Butte-Silver Bow County Courthouse. She was represented by Brent Getty of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. Defendant was further advised that there is no appeal from a decision of the Division. Defendant acknowledged that she understood this and stated that she wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

Done in open Court this 5th day of April, 2019.

DATED this 25th day of April, 2019.

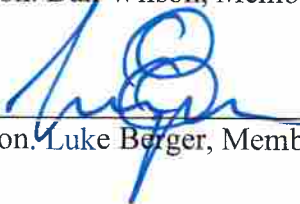
SENTENCE REVIEW DIVISION



Hon. Brenda Gilbert, Chairperson



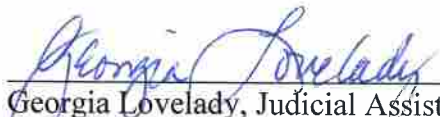
Hon. Dan Wilson, Member



Hon. Luke Berger, Member

Copies mailed this 7th day
of May, 2019, to:

Clerk of District Court (Original)
Veita Rose Amerio #2087121, Defendant (2)
Hon. Robert L. Deschamps
Brent Getty, Defense Counsel
Mac W. Bloom, Esq.
Board of Pardons and Parole
MWP - Records Dept.



Georgia Lovelady, Judicial Assistant
Sentence Review Division